

# **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. TIM SCHMITZ

EXECUTIVE DIRECTOR:  
VICKI THOMAS



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SEN. PAMELA ALTHOFF  
SEN. TONY MUÑOZ  
SEN. SUE REZIN  
SEN. DALE A. RIGHTER  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DAVID R. LEITCH  
REP. DONALD L. MOFFITT  
REP. ANDRE' THAPEDI

## **MINUTES**

**March 12, 2013**

### **MEETING CALLED TO ORDER**

The Joint Committee on Administrative Rules met on March 12, 2013 at 9:00 a.m. in Room C-1 of the Stratton Office Building in Springfield, Illinois.

Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

### **ATTENDANCE ROLL CALL**

X Senator Pamela Althoff  
X Senator Don Harmon  
X Senator Tony Muñoz  
X Senator Sue Rezin  
X Senator Dale Righter  
X Senator Ira Silverstein

X Representative Greg Harris  
X Representative Lou Lang  
X Representative David Leitch  
X Representative Donald Moffitt  
X Representative Timothy Schmitz  
X Representative Andre' Thapedi

### **APPROVAL OF THE MINUTES OF THE FEBRUARY 6, 2013 MEETING**

Senator Althoff moved, seconded by Senator Muñoz, to approve the minutes of the February 6, 2013 meeting. The motion passed unanimously.

### **REVIEW OF AGENCY RULEMAKINGS**

***Department of Central Management Services – The Travel Regulation Council (80 Ill. Adm. Code 3000; 36 Ill. Reg. 17663)***

Senator Rezin moved, seconded by Senator Righter, that JCAR recommend that the Department be more timely in updating the Council rules to reflect changes in statute. This rulemaking is reflecting a statutory amendment that was effective 1/1/10. The Department took almost 3 years to codify this change. The motion passed unanimously.

***Department of Financial and Professional Regulation – Illinois Orthotics, Prosthetics and Pedorthics Practice Act (68 Ill. Adm. Code 1325; 36 Ill. Reg. 6118)***

Representative Harris moved, seconded by Representative Lang, that JCAR recommend that the Department be more timely in proposing rules implementing statute. This rulemaking was proposed over 3 years after PA 96-682 reauthorized the Act. The motion passed unanimously.

***Health Facilities and Services Review Board – Health Facilities Planning Procedural Rules (77 Ill. Adm. Code 1130; 36 Ill. Reg. 6210)***

Senator Althoff moved, seconded by Representative Leitch, that JCAR recommend that the Board be more timely in proposing rules implementing statute. This rulemaking was proposed almost 3 years after PA 96-31 became effective. The motion passed unanimously.

***Office of the State Treasurer – Uniform Disposition of Unclaimed Property Act (74 Ill. Adm. Code 760; 36 Ill. Reg. 13578)***

Brad Rightnowar, Assistant General Counsel, represented the Office of the State Treasurer.

Co-Chair Harmon asked Mr. Rightnowar to confirm that the Treasurer's Office agreed to extend consideration of this rulemaking for an additional 45 days.

Mr. Rightnowar confirmed that was correct.

Senator Righter moved, seconded by Senator Althoff, that JCAR and the Treasurer's Office agree to extend this rulemaking for an additional 45 days. The motion passed unanimously.

**CONSIDERATION OF OTHER RULEMAKINGS**

Co-Chair Harmon asked if any member desired consideration of any other rulemaking. Representative Lang requested consideration of a DFPR rulemaking.

***Department of Financial and Professional Regulation – Lending Limits (38 Ill. Adm. Code 330; 36 Ill. Reg. 17671)***

Michael Diaz, Deputy General Counsel for DFPR's Division of Banking, represented the Department.

Representative Lang expressed that the Committee, uniformly, had additional questions regarding the rulemaking and asked if the Department would agree to extend consideration of the rulemaking for an additional 45 days.

Mr. Diaz agreed.

Representative Lang moved, seconded by Senator Righter, that JCAR and DFPR agree to extend this rulemaking for an additional 45 days. The motion passed unanimously.

**CERTIFICATION OF NO OBJECTION**

Representative Schmitz moved, seconded by Representative Moffitt, that the Committee inform

the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously.

### **AGENCY RESPONSES**

*Department of Agriculture – General Operations of the State Fairs and Fairgrounds (8 Ill. Adm. Code 270; 36 Ill. Reg. 12940)*

*Department of Central Management Services – Organ Donor Leave (80 Ill. Adm. Code 332; 36 Ill. Reg. 16800)*

Based on the appropriateness of the agencies' responses, no further action was taken.

### **APRIL MEETING DATE**

Co-Chair Harmon announced that the next monthly meeting is scheduled for Tuesday, April 16, 2013, at 9:00 a.m., Room C-1, Stratton Office Building, Springfield IL.

### **ADJOURNMENT**

Representative Schmitz moved, seconded by Senator Althoff, that the meeting stand adjourned. The motion passed unanimously.

*Min:0313Mar*